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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------|-------------|----------------------|---------------------|------------------|
| 10/675,219 | 09/30/2003 | Richard N. Codos | LPPT-16 | 9875 |
| 26875 | 7590 | 07/22/2005 | EXAMINER | |
| WOOD, HERRON & EVANS, LLP | | | SHAH, MANISH S | |
| 2700 CAREW TOWER | | | ART UNIT | |
| 441 VINE STREET | | | PAPER NUMBER | |
| CINCINNATI, OH 45202 | | | 2853 | |

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/675,219 | Applicant(s) CODOS ET AL. | |
| | Examiner Manish S. Shah | Art Unit 2853 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-50, 60, 65, 67 and 84-89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-50, 60, 65, 67 and 84-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claims 48-50, 65 & 67 is withdrawn in view of the newly discovered reference(s) to Hine (#US 6357867); Uchida et al (# US 5225852).

Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 60 is rejected under 35 U.S.C. 102(b) as being anticipated by Hine (# US 6357867).

Hine discloses an ink jet printing apparatus including a substrate support (element: 12, figure: 7); a layer of non-stick protective material overlying the support so as to collect, and protect the substrate support from ink jetted toward a porous substrate on the support and passing through the porous substrate (web of paper) (element: 14, figure: 7); an inkjet print head directed toward the support (column: 5, line: 15-50); a curable head positioned adjacent the support to facilitate the curing of ink jetted from the print head towards a substrate on the support (element: 132, figure: 7).

2. Claim 60 is rejected under 35 U.S.C. 102(b) as being anticipated by Lin (# US 5764263).

Lin discloses an ink jet printing apparatus including a substrate support (element: Sd, figure: 2); a layer of non-stick protective material overlying the support so as to collect, and protect the substrate support from ink jetted toward a porous substrate on the support and passing through the porous substrate; an inkjet print head directed toward the support; a curable head positioned adjacent the support to facilitate the curing of ink jetted from the print head towards a substrate on the support (figure: 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 48-50, 65, 67 & 84-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hine et al. (# US 6357867) in view of Uchida et al. (# US 5225852) and Yanaka et al. (# US 6149257).

Hine et al. discloses a method of printing on to porous (web of paper) (element: 14; figure: 7) including: providing a substrate having non-stick material surface (element: 12; figure: 7); supporting a web having pores therein above the non-stick material surface of the substrate (element: 14; figure: 7); jetting UV curable ink (column:

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1, line: 23-30) onto the substrate with some of the ink passing through the pores of the substrate onto the non-stick material surface of the substrate; exposing the jetted UV curable ink on the non-stick material surface of the substrate to UV light (element: 132; figure: 7); removing the web of paper from above the substrate (figure: 7). They also disclose that the supporting of the textile above the substrate support includes extending the substrate in tension, spaced from the substrate adjacent the non-stick material at least in a region between the printhead and the substrate (figure: 7). They also disclose that the substrate is platen (TEFLON) (column: 2, line: 8-15).

Hine et al. differs from the claim of the present invention in that (1) the wiping exposed UV curable ink from the material on the substrate. (2) The recording material is a textile having pores therein.

Uchida et al. teaches that to get the high quality print, method of printing including the step of wiping the ink from the material of the substrate (element: 215, 243; figure: 3; column: 6, line: 15-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of printing of Hine et al. by the aforementioned teaching of Uchida et al. in order to have a high quality printed image.

Yanaka teaches that in printing process, the recording material is a textile having pores therein (column: 4, line: 50-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of printing of Hine et al. by the aforementioned teaching of Yanaka et al. in order to have a high quality printed image on a textile material.

4. Claims 48-50, 65 & 84-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanaka et al. (# US 6149257) in view of Uchida et al. (# US 5225852).

Yanaka et al. discloses a method of printing on to porous textile (element: 1004; figure: 1; column: 4, line: 50-65) including: providing a substrate having non-stick material surface (figure: 1); supporting a textile having pores therein above the non-stick material surface of the substrate (element: 1004; figure: 1); jetting UV curable ink (element: 1101; figure: 1) onto the substrate with some of the ink passing through the pores of the substrate onto the non-sick material surface of the substrate; exposing the jetted UV curable ink on the non-stick material surface of the substrate to UV light (element: 1400; figure: 1); removing the textile from above the substrate (figure: 1). They also disclose that the supporting of the textile above the substrate support includes extending the substrate in tension, spaced from the substrate adjacent the non-stick material at least in a region between the printhead and the substrate (figure: 1).

Yanaka et al. differs from the claim of the present invention in that the wiping exposed UV curable ink from the material on the substrate.

Uchida et al. teaches that to get the high quality print, method of printing including the step of wiping the ink from the material of the substrate (element: 215, 243; figure: 3; column: 6, line: 15-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of printing of Yanaka et al. by the aforementioned teaching of Uchida et al. in order to have a high quality printed image.

Response to Arguments

5. Applicant's arguments with respect to claims 48-50, 60, 65, 67, 84-89 have been considered but are moot in view of the new ground(s) of rejection

6. NOTE: Applicant discloses in the remark that Claims 35-37 are being canceled as well as all rejected apparatus claims, which is not persuasive. The claim 60 is apparatus claim, which not cancel by applicant. Appropriate correction required.

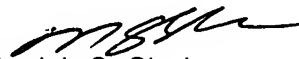
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

7/18/09